

FARRIS, MATHEWS, BRANAN & HELLEN, P.L.C.

ATTORNEYS AT LAW

WILLIAM W. FARRIS
HARLAN MATHEWS
HOMER BOYD BRANAN, III
TIM WADE HELLEN
EDWIN DEAN WHITE, III
CHARLES B. WELCH, JR.
G. RAY BRATTON
JOHN MICHAEL FARRIS
O. DOUGLAS SHIPMAN
D. EDWARD HARVEY
REBECCA PEARSON TUTTLE
EUGENE STONE FORRESTER, JR.
DEDRICK BRITTENUM, JR.
BARRY F. WHITE

NASHVILLE CITY CENTER
511 UNION STREET, SUITE 2400
NASHVILLE, TENNESSEE 37219

FAX (615) 726-1776

PHONE (615) 726-1200

REC'D TN
REGULATORY AUTH.

'98 MAR 18 PM 12 00

OFFICE OF THE
EXECUTIVE SECRETARY

ROBERT F. MILLER
ROBERT A. MCLEAN
ANITA I. LOTZ
BRIAN L. KUHN
GREGORY W. O'NEAL
STEVEN C. BRAMMER
HAROLD W. FONVILLE, II
FRED D. (TONY) THOMPSON, JR.
RICHARD D. CLICK
JEFFREY M. CLARK
OF COUNSEL
HENRY H. HANCOCK
PAUL E. PERRY

March 13, 1998

HAND DELIVERY

Mr. David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

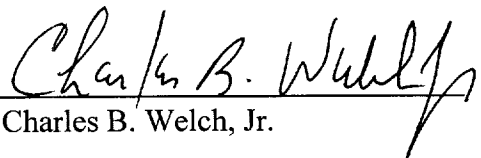
RE: BellSouth Telecommunications Entry into Long Distance
(INTERLATA) Service in Tennessee Pursuant to Section
271 of the Telecommunications Act of 1996
TRA Docket No. 97-00309

Dear Mr. Waddell:

Enclosed for filing, please find the original plus thirteen (13) copies of the Reply Comments to Proposed Performance Measures submitted on behalf of Time Warner Communications of the Mid-South, L.P. to be filed in the above referenced proceeding. Copies are being served on parties of record.

If you have any questions or concerns with regard to this filing, please do not hesitate to contact me.

Very truly yours,
FARRIS, MATHEWS,
BRANAN & HELLEN, P.L.C.

By: 
Charles B. Welch, Jr.

CBWjr:cg
encs:
cc: Parties of Record
Carolyn M. Marek
C:\DATA\CBW\271\WADDELL.318

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE: BellSouth Telecommunications, Inc.'s]	
Entry Into Long Distance (InterLATA)]	
Service in Tennessee Pursuant to Section 271]	DOCKET NO. 97-00309
of the Telecommunications Act of 1996]	

***REPLY COMMENTS TO PROPOSED PERFORMANCE
MEASURES SUBMITTED ON BEHALF OF TIME WARNER
COMMUNICATIONS OF THE MID-SOUTH, L.P.***

Time Warner Communications of the Mid-South, L.P. ("Time Warner") submits its reply comments to the proposed performance measures submitted by the parties on March 13, 1998, pursuant to the Order Establishing Format of Technical Workshops on Performance Measures and Standards dated March 6, 1998, as follows:

1. Several parties have suggested the adoption of the Local Competition Users Group's ("LCUG") Service Quality Measurements as amended by the ALTS proposal as a reference point. Time Warner supports this suggestion, but submits that the LCUG/ALTS proposal fails to address several issues critical to facilities-based new entrants, and would recommend consideration of the following:

- (a) measurements for Interim Number Portability ("INP") as set forth in Amendment No. 1 to the BellSouth/Time Warner Master Interconnection Agreement, as these measurements are critical for new entrants until Long-term Number Portability is implemented;
- (b) for services ordered via an Access Service Request ("ASR"), BellSouth must provide a physical facilities verification before issuing a Firm Order Confirmation ("FOC"); (This verification is necessary to ensure a reliable and accurate FOC.

New entrants rely on the due dates for order completions given in the FOCs. If the facilities are not physically verified and the database is inaccurate, the FOC will reflect a due date on which BellSouth is incapable of delivering services. If a CLEC has provided a due date to its end-user customer based upon the unrealistic due date on the BellSouth FOC, the CLEC may lose its customer when it is unable to provide promised services. BellSouth has agreed to these measurements in its negotiated agreement with Time Warner.); and

- (c) database updating for directory listings should be reasonably current; i.e. within forty-eight hours. (The LCUG/ALTS proposal requires updating of emergency services database within twenty-four hours, but does not mention directory listings.)

2. Time Warner strongly recommends that the Technical Workshop be used as a forum to compare and discuss the difference between the measurements proposed by the LCUG/ALTS proposed measurements and the proposed measurements in BellSouth's SGAT ("Statement of Generally Available Terms").

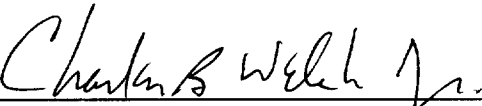
3. Time Warner contends that the performance measures ultimately adopted by the Tennessee Regulatory Authority should merely supplement and should not supersede measurements negotiated in existing, effective interconnection agreements, unless such measurements are more lenient than the permanent performance measurements, in which case the permanent measurement should prevail.

4. Time Warner supports the "self-enforcing penalties" proposed by AT&T. Further, Time Warner suggests that the assessment of liquidated damages for failure to perform would

be appropriate and should be considered as a vehicle to motivate compliance with performance standards ultimately adopted.

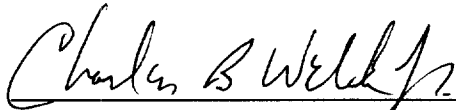
Respectfully submitted,

**FARRIS, MATHEWS,
BRANAN & HELLEN, P.L.C.**

By: 
Charles B. Welch, Jr., #5593
Attorney for Time Warner Communications
of the Mid-South, L.P.
511 Union Street, Suite 2400
Nashville, Tennessee 37219
(615) 726-1200

CERTIFICATE OF SERVICE

I, Charles B. Welch, Jr., hereby certify that I have served a copy of the foregoing Reply Comments to Proposed Performance Measures submitted on behalf of Time Warner Communications of the Mid-South, L.P. on all parties of record attached hereto, by depositing copy of same in the U.S. Mail, postage prepaid, this the 18th day of March, 1998.


Charles B. Welch, Jr.

C:\DATA\CBW\271\PER-MEAS.RES

SERVICE LIST - DOCKET NO. 97-00309

Dennis McNamee
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0500

Dana Shaffer
Nextlink
105 Malloy Street, #300
Nashville, TN 37201

Alaine Miller
Nextlink
155-108th Ave. NE #810
Bellevue, WA 98004

H. LaDon Baltimore
Farrar & Bates
211 Seventh Ave. N - #320
Nashville, TN 37219-1823

Henry Walker
Boult, Cummings, et al.
P. O. Box 198062
Nashville, TN 37219-8062

Martha P. McMillin
MCI Telecommunications Corp.
780 Johnson Ferry Road, #700
Atlanta, GA 30342

Jon E. Hastings
Boult, Cummings, et al
P. O. Box 198062
Nashville, TN 37219-8062

Val Sandford
Gullett, Sanford, et al
230 Fourth Ave. N., 3d Floor
Nashville, TN 37219-8888

James Lamoureux
AT&T
1200 Peachtree St., NE
Atlanta, GA 30309

Vincent Williams
Consumer Advocate Division
4265th Avenue N., 2nd Floor
Nashville, TN 37243

Enrich C. Soriana
Kelley, Drye & Warren
1200 19th St., NW #500
Washington, DC 20036

Carolyn Tatum Roddy
Sprint Communications
3100 Cumberland Circle, N0802
Atlanta, GA 30339

Guilford Thornton
Stokes & Bartholomew
424 Church Street
Nashville, TN 37219

D. Billye Sanders
Waller, Lansden, Dortch & Davis
511 Union Street, #2100
Nashville, TN 37219-1750

Michael McRae
TCG
1133 21st St., NW, #400
Washington, DC 20036

Guy M. Hicks
BellSouth Communications
Suite 2101
333 Commerce Street
Nashville, TN 37201-3300